

DANIEL J. BRODERICK, Bar #89424
Federal Defender
DAVID M. PORTER, Bar #127024
Assistant Federal Defender
Counsel Designated for Service
801 I Street, 3rd Floor
Sacramento, California 95814
Telephone: (916) 498-5700

Attorney for Defendant
DERWIN WADE McCOWAN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. F 02-5368 OWW
)	
Plaintiff,)	STIPULATION TO CONTINUE HEARING ON
)	MOTION REDUCE SENTENCE PURSUANT TO
v.)	18 U.S.C. § 3582(c)(2); [lodged]
)	ORDER
DERWIN WADE McCOWAN,)	
)	<u>RETROACTIVE CRACK COCAINE</u>
Defendant.)	<u>REDUCTION CASE</u>
)	

Defendant, DERWIN WADE McCOWAN, by and through his attorney,
Assistant Federal Defender David M. Porter, and plaintiff, UNITED
STATES OF AMERICA, by and through its counsel, Assistant U.S. Attorney
Laurel Jackson Montoya, hereby stipulate the hearing on Mr. McCowan's
motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2) be
continued from January 12, 2009, to Monday, February 2, 2009, at 9:00
a.m., in light of the parties' unsuccessful efforts to reach a

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1 stipulated resolution of the motion.

2 Dated: January 6, 2009

3 Respectfully submitted,

4 LAWRENCE G. BROWN
Acting United States Attorney

DANIEL J. BRODERICK
Federal Defender

6
7 /s/ Laurel Jackson Montoya
LAUREL JACKSON MONTOYA
Assistant U.S. Attorney

/s/ David M. Porter
DAVID M. PORTER
Assistant Federal Defender

8 Attorney for Plaintiff
9 UNITED STATES OF AMERICA

Attorney for Movant
DERWIN WADE McCOWAN

10 **ORDER**

11 Pursuant to the parties' stipulation, and good cause appearing
12 therefor, the hearing on Mr. McCowan's motion to reduce his sentence is
13 **CONTINUED** from January 12, 2009, to **Monday, February 2, 2009, at 9:00**
14 **a.m.** Defendant's reply brief is due January 26, 2009.

15 IT IS SO ORDERED.

16 **Dated: January 7, 2009**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE